

W.P.(MD)No.7632 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2025

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THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.7632 of 2025

and

W.M.P.(MD)No.5783 of 2025

Seethalakshmi

: Petitioner

Vs.

1. The Tahsildar,
Palayamkottai Taluk Office,
Tirunelveli District.

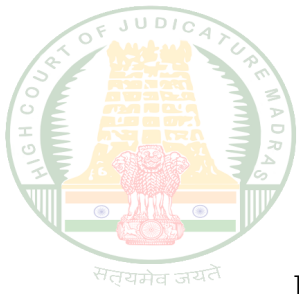
2. The Zonal Deputy Tahsildar,
Palayamkottai Taluk Office,
Tirunelveli District.

3. Ashok

4. Maheswaran

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari calling for records in D.R.No. 2024/0153/29/013341TR dated 13.12.2024 on the file of the 2nd respondent and quash the same as illegal.



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For Petitioner : Mr.S.Kumar
For Respondents 1 & 2 : Mr.B.Saravanan
Government Pleader

ORDER

The petitioner challenges the impugned order of the second respondent in D.R.No. 2024/0153/29/013341TR dated 13.12.2024.

2.I have heard the learned Counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents 1 & 2.

3.The main ground of challenge to the impugned order is that no notice was issued to the petitioner and no enquiry was conducted before removing the name of the petitioner, her brother and sister from the revenue records. The impugned order, on even a casual perusal, does not disclose any such notice having been issued or enquiry conducted. When the petitioner's, her siblings' names were found in the patta, the authority ought not to have proceeded to remove such names, without affording opportunity to the persons in whose names patta has already been mutated. Therefore, the impugned order clearly violates the basic fundamental principles of natural justice.



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4. Accordingly, the impugned order is set aside and the matter is remitted to the second respondent to pass fresh orders, after considering the objections of the petitioner and her siblings and also after hearing the applicants in whose names patta has now been transferred without notice to the petitioner and her siblings. The said exercise shall be completed within a period of twelve [12] weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition stands allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

19.03.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

1. The Tahsildar,
Palayamkottai Taluk Office,
Tirunelveli District.

2. The Zonal Deputy Tahsildar,
Palayamkottai Taluk Office,
Tirunelveli District.



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P.B.BALAJI., J.

MR

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